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**Issue 182 | November 26**

## **Legal Services Reform in CA & NM**

**Due to the Thanksgiving holiday, there will be no Bar Leader Weekly next week.**

## **Access News: California Recommendations Delayed Until March, New Mexico Considering LLLTs**

The State Bar of California Board of Trustees has granted the Access Through Innovation of Legal Services (ATILS) task force an extension for its final recommendations; originally planned for December 31 of this year, the recommendations will now be due on March 31, 2020. The board recognized that the task force needs more time to "synthesize" the more than 2,800 comments it has received about its 16 proposals of ways to increase access to justice. [Bloomberg Law Big Law Business](#) notes that most of the lawyers who responded have been critical of one or more of the proposals, and that the bar staff has suggested reaching out to the general public more directly. In related news, in New Mexico, a state Supreme Court working group is looking into the possibility of creating a limited license legal technician designation, along similar lines as that of Washington state. [Law360](#) reports that one impetus for the working group and its inquiry is that the state has a number of "legal deserts"—counties in which there are few lawyers or none at all. What does the working group chair say about the LLLT concept and why it might be a good fit?

## **In Trying to Ensure Nonpartisan Judiciary, Does Delaware Unfairly Exclude Political Independents?**

The Delaware state judiciary relies on an unusual balancing requirement in order to remain nonpartisan: Judges affiliated with one major political party can have no more than a "bare majority" on the state's three highest courts, and the remaining seats must be held by judges affiliated with the other major party. But where does that leave potential judges who are neither Republican nor Democrat? Retired attorney James Adams is challenging whether this rule is constitutional. In April, the U.S. Court of Appeals for the 3rd Circuit decided in favor of the politically independent Adams, who for more than a decade has aspired to be a judge. Gov. John Carney appealed that ruling to the U.S. Supreme Court. [The Christian Science Monitor](#) offers both a quick take on this lawsuit and a more in-depth look at Delaware's system and at how other states handle judicial selection.

## **State Bar of California Report Finds Black Male Attorneys Disciplined at Higher Rate**

According to a new report from the State Bar of California, black male attorneys are three times more likely to be disciplined, and about four times more likely to resign or be disbarred, than their white male counterparts. Men were more likely to be disciplined than women. The report found smaller differences between black female attorneys and white female attorneys, as well as between male and female Hispanic attorneys and white male and female attorneys. There are several possible reasons for the discrepancy, according to the [Sacramento Bee](#). For example, black men are more likely to be solo lawyers, who, as a category, are reported to the bar at a higher rate, and black male attorneys are less likely to have counsel with them during investigative proceedings. What are some of the other theories, and what kind of follow-up may be needed?

## **New ABA Study Looks for Reasons Experienced Women**

## Lawyers Leave BigLaw

An ABA survey of more than 1,200 longtime lawyers and leaders in BigLaw found that women were four to eight times more likely than men to say they were denied business development opportunities, refused or overlooked for promotions and seen as less committed to their careers. Also, about 50 percent of women, and only 6 percent of men, said they had received unwanted sexual conduct at work; and 54 percent of women said finding childcare was solely their responsibility, compared with 1 percent of men. The study surveyed managing partners and lawyers in the nation's 500 largest law firms who have practiced law for at least 15 years, and was aimed at discovering why experienced women lawyers leave BigLaw at such a high rate. [ABA Journal](#) has more details and a link to the report, "Walking Out the Door: The Facts, Figures and Future of Experienced Lawyers in Private Practice."

## Changes to Bar Exam Under Discussion in Indiana, and Nova Scotia Will Eliminate Its Bar Exam Entirely

Next month, a commission in Indiana will issue its report based on a comprehensive review of that state's bar exam?and at the end of last month, an expert came to Indiana University Robert H. McKinney School of Law to offer some advice. Guest lecturer Erica Moeser was president and CEO of the National Conference of Board Examiners for 23 years; the NCBE develops and produces the Multistate Bar Examination, the Multistate Essay Examination and the Multistate Performance Test. Moeser, also a past chair of the ABA Council of the Section of Legal Education and Admissions to the Bar and past co-chair of that section's Bar Admissions Committee, gave an overview of recent bar exam trends and said it would be relatively easy for the state to convert to the Uniform Bar Exam. [The Indiana Lawyer](#) shares a recap of her lecture. Meanwhile, Nova Scotia plans to get rid of its bar exam entirely, in conjunction with switching to a bar admissions training program already adopted in Manitoba, Alberta, and Saskatchewan. This new approach is expected to better prepare lawyers for modern practice, according to the executive director of the Nova Scotia Barristers' Society. Learn more about this change, including how soon bar exams will be discontinued, at [Canadian Lawyer](#).



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